

FARMINGTON CITY COUNCIL MEETING

December 18, 2012

WORK SESSION

Present: Mayor Scott Harbertson, Council Members John Bilton, Cory Ritz, Jim Talbot, and Jim Young, City Manager Dave Millheim, Finance Director Keith Johnson, Community Development Director David Petersen, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey

Review and Acceptance of Audit Report

Michael Ulrich from Ulrich & Associates presented information regarding the annual audit. He reported that revenues were \$150,000 higher than budgeted and expenditures and transfers were \$280,000 less than budgeted, and the fund balance is under the 18% limit required by the State. The most substantial change was increased sales taxes revenue (20%) during the fiscal year. The ambulance and recreation funds did not cover operating expenses with operating revenue. There were no items of concern, and employee approval remains high.

Minute Motion Approving Summary Action List

1. Approval of Minutes from the December 4, 2012 meeting
2. Agreement with LeeAnn Lawson – Janitorial Services for the Public Works Building
3. Request for the Kimoto Boundary Adjustment
4. Minor Plat for the Oakwood Estates Phase 5 Subdivision
5. Release of Temporary Open Space Easement and consideration of permanent Open Space Easement for Oakwood Estates
6. Re-Approval of Final Plat for Arendal Manor Subdivision

The **Mayor** said Item #6 is not ready and will need to be pulled from the List, and Item #5 will be discussed separately.

Replacement Process for City Council Vacancy

Mayor Harbertson and **Dave Millheim** reviewed the procedure which will be used during the regular session to choose a replacement for the City Council vacancy.

REGULAR SESSION

Present: Mayor Scott Harbertson, Council Members John Bilton, Cory Ritz, Jim Talbot, and Jim Young, City Manager Dave Millheim, Community Development Director David Petersen, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. Youth City Council Members Jarom Barnes and Sarah Barfuss were also in attendance.

CALL TO ORDER

Roll Call (Opening Comments/Invocation/Pledge of Allegiance)

Mayor Harbertson began the meeting at 7:00 p.m., welcomed those in attendance, and offered the invocation. The Pledge of Allegiance was led by local Girl Scout **Hannah Polomares**.

PRESENTATION OF PETITIONS AND REQUESTS

Review and Acceptance of Audit Report

Michael Ulrich, Ulrich & Associates gave a brief report of the CAFR (Comprehensive Annual Financial Report) for Farmington City FY 2012. The **Mayor** stated that he feels very confident about the future of Farmington City.

Motion:

John Bilton made a motion to accept and approve the audit report for the Fiscal Year 2012. The motion was seconded by **Cory Ritz** and approved by Councilmen **Bilton, Ritz, Talbot** and **Young**.

Meadow View Reimbursement Agreement

David Petersen said this is a 19-lot subdivision west of Farmington Ranches, and the developer will be required to pay any remaining fees due to the City—including impact fees—when the final plat is recorded. A certain portion of the various fees are system improvements and may qualify for reimbursement or credits from the City. He briefly reviewed the three different cost estimates included in Exhibit B of the Agreement.

Motion:

John Bilton made a motion to approve the Reimbursement Agreement for the Meadow View Subdivision subject to the condition that land costs set forth in Exhibit B are changed to reflect actual costs for conservation land, and the system improvements identified in Exhibit B must be consistent with local and state regulations established for impact fees. **Jim Talbot** seconded the motion which was approved by Councilmen **Bilton, Ritz, Talbot** and **Young**.

SUMMARY ACTION

Minute Motion Approving Summary Action List

1. Approval of Minutes from the December 4, 2012 meeting
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6. Re-Approval of Final Plat for Arendal Manor Subdivision

Motion:

Jim Young made a motion to pull Items #5 and #6 from the Summary Action List to discuss Item #5 separately and table Item #6. The motion was seconded by **Cory Ritz** and approved by Councilmen **Bilton, Ritz, Talbot** and **Young**.

Release of Temporary Open Space Easement and consideration of permanent Open Space Easement for Oakwood Estates

David Petersen explained that several years ago the preliminary plat and development agreement for this Subdivision were approved. Both documents were recently amended, and the City granted a waiver of open space which dramatically reduced the amount of open space required for the Subdivision. The developer is now ready to record lots in the area which are encompassed by portions of the old open space, and the City must release the old temporary open space easement.

Motion:

John Bilton made a motion to approve the Oakwood Estates Release of Temporary Open Space Easement Agreement and Open Space Easement Agreement (for a smaller area to be preserved as open space permanently subject to the terms of said Agreement) contingent upon the previously approved Waiver and the condition that these Agreements will be recorded with the Final Plat. **Cory Ritz** seconded the motion which was approved by Councilmen **Bilton, Ritz, Talbot** and **Young**.

NEW BUSINESS

Replacement Process for City Council Vacancy

Mayor Harbertson said a Council member must have a strong desire to serve and make an impact, and a high level of commitment is required. There are two regular meetings each month, Town Hall and various committee meetings, and community events. Residents often call and send emails and texts expressing ideas, questions, and complaints, and each issue must be studied in depth. He said each applicant will have 3 minutes to speak, and he asked the applicants to state whether or not they would run for office following the appointed term.

Bryce Davidson, 40 North 325 East, moved to Farmington when he was four years old. He has a desire to serve as a City Council Member and would run for office if he was chosen to fill the position. He currently has no plans to develop property in Farmington.

Charles Gerace, 1348 Paddock Drive, grew up in California but moved to Utah 24 years ago and has lived in Farmington for 7 years. He would like to help manage growth and plans to run for election if he is chosen. He is involved in business and sales and when asked if he has public service or community involvement experience, he said he has been a volunteer.

G. Bret Gallagher, 1737 Sweetwater, moved to Farmington 14 years ago and is at a point in his life where he would like to give back. He works in advertising/marketing and

strives daily to overcome obstacles and come up with creative and different solutions. If he were selected for this one-year term, he would run for office.

Cindy Roybal, 1267 West 1875 North, has lived in Farmington for 24 years. She enjoys working with people, worked as a paralegal for 15 years, served on the Planning Commission for several years and was involved in creating the City's Master Plan. She would run for office if appointed to the City Council.

Scott Isaacson, 441 South 1100 West, has lived in Farmington for 8 years. He has worked as an attorney for 30 years and recently worked in South America for the LDS Church for five years. If appointed for the one-year term, he would run for office.

Randal Hillier, 122 South 300 East, has lived in Farmington for 7 years. He served for five years on the Planning Commission and is familiar with the decisions and issues that the City faces. He works for Salt Lake City and deals with government, budget, policy and debt issues. If he was appointed to this position he would run for office.

Noel Erasmus, 506 Greystone Drive, said he is impressed and proud to be part of so many people who are willing to serve. He has expertise in business management and would run for office if he was selected. If not, he will look for other opportunities to serve.

Christopher Hansen, 1743 North Grand View Drive, said he is planning to run for office in the fall of 2013. He has lived in Farmington for 9 years and feels that now is the time for him to serve on the City Council.

David Stringfellow, 2068 Sharpshooter Court, said he would run for office if he were selected. Government is important at all levels. He is a budget expert and works as an economist in the Governor's office. Policy making is a brutal business, but he is able to remain positive when dealing with tough situations.

Douglas Wayment, 953 South 250 East, has lived here for 4 years and serves on the Farmington Elementary Community Council. He is looking for additional opportunities to give back to the community, but he is not interested in running for office. He has a background in business dealing with a \$10 million budget.

Steve Andersen, 671 Somerset Street, is grateful to live in Farmington. He served on the Planning Commission for four years and on the SPARC committee which assisted in the development of the City's TMU zone. He has extensive work experience as a business executive and would run for office if selected.

D. Kevin Poff, 555 North 100 East, has always enjoyed public service. He served on the Planning Commission and his strengths were the ability to see all sides of an issue and offer a different perspective. He is prepared to serve for one year but is unsure about running for office.

Jason Williams, 1586 Saddlehorn Circle, has lived here for 10 years and is a senior manager at a regional bank. He is currently Chairman of the Eagle Bay Elementary Community Council. He is a proven leader and plans to run for office next year.

SueAnn Phillips, 340 South 1525 West, has been a volunteer in Farmington for many years in Farmington: pioneer home, summer musicals and parade, dinner theatre, leisure services board and Miss Farmington pageant. She chooses her words carefully, works well with the press, and is familiar with deadlines and criticisms and would run for office if selected.

Phil Leonard, 831 Leonard Lane, was born and raised in Farmington. He was a deputy sheriff and was involved with public service for 35 years. He has a desire to assist in the future of Farmington, and he would run for office.

Justen Smith, 226 West 900 North, was born and raised in a small town and learned how to serve. He has traveled extensively during his 15-year career, worked with several universities and learned to be creative in fundraising and in obtaining federal and state grants. There must be a balance between open space and development, and if he were selected he would run for office.

Trevor Ward, 1082 North 100 West, works for UDOT as a procurement agent. He is vice president of the National Institute of Government Purchasing and is a certified public manager. He would love to be part of the City Council and run for office if selected.

Jeff Holman, 22 Virginia Circle, has a law practice on Shepard Lane. He has served on several charitable boards and loves the trails in Farmington. He would like to serve on the City Council and has also applied for the Planning Commission.

Jennifer O'Toole, 1064 North Shepard Creek Parkway, #6, has been active in Farmington Crossing, and if she were appointed, she would run for office.

Brett Anderson, 837 Country Lane, graduated from law school 12 years ago and has learned that there is more than one side to every story—things are never clear cut. He is a problem solver and has served on the Planning Commission.

The **Mayor** expressed appreciation to each of the applicants and said this will not be an easy decision. Various residents have expressed the need for a female voice and representation from west Farmington. His top choices were three people who have served on the Planning Commission: **Cindy Roybal**, **Scott Isaacson** and **Steve Andersen**. Three others who have passion and abilities but less experience are: **Chris Hansen**, **Jason Williams** and **Justin Smith**.

John Bilton thanked the applicants and said he was very impressed with the caliber of people who are willing to serve. His top four choices included **Jason Williams**, **Scott Isaacson**, **Bret Gallagher**, and **Cindy Roybal**.

Jim Young was also impressed by the applicants and is glad he is not up for re-election next year. His top choices included **Bret Gallagher**, **Cindy Roybal**, **Scott Isaacson**, **Christopher Hansen**, **Kevin Poff**, and **Jason Williams**.

Cory Ritz was amazed by the number and caliber of applicants. An important thought for him is: "what is right is not always popular, and what is popular is not what is always right."

His top choices included **Brett Anderson, Steve Anderson, Jason Williams, Scott Isaacson, Charles Gerace, Cindy Roybal, and Trevor Ward.**

Jim Talbot agreed with all of the comments and encouraged continued service to the community. He commended David Stringfellow for his willingness to serve. His top choices included **Cindy Roybal, Steve Andersen, Scott Isaacson, and Chris Hansen.**

Motion:

Cory Ritz nominated **Scott Isaacson** to fill the City Council seat vacated by **Nelsen Michaelson**. There was no second to the motion and it failed.

Motion:

Jim Talbot nominated **Cindy Roybal** to fill the vacancy of City Council seat vacated by **Nelsen Michaelson**. The motion was seconded by **Jim Young** and approved by Councilmen **Bilton, Ritz, Talbot and Young.**

The **Mayor** said a formal swearing for the new Council Member will take place during the January 15, 2013 City Council meeting.

Demolition Ordinance Draft Text Changes

City Manager **Dave Millheim** suggested that the Council postpone review and discussion of this item until the January 15, 2013 meeting. He advised the Council to consider two policy questions regarding this issue: “Should the Ordinance be changed?” and “How much authority should be given to the Historic Preservation Commission?” **Cindy Roybal** was appointed to serve with **Jim Talbot** on a committee to review and discuss this Ordinance.

GOVERNING BODY REPORTS

City Manager – Dave Millheim

- Upcoming Agenda Items (included in the Staff Report)
- To Do Lists (included in the Staff Report)
- He asked the Council for suggestions of a Farmington City resident to serve on the Benchland Water District Board which currently has a vacancy.
- He asked the Council if they read the email and press release regarding the U.S. Forest Service road. Several residents are upset and want the road to be opened and plowed. Information will be included in the January newsletter.
- He spoke with **Craig Monson** regarding snow removal at the Steed Place. The City has specific documentation which shows that the street was not built to City standards and

that the HOA would be responsible for snow removal. The HOA was never formed, and the City has agreed to plow for one year to allow time for its formation.

Mayor – Scott Harbertson

- **Bob Murri** is the new Chair for the Planning Commission, and interviews of potential Planning Commission members will be held on Thurs., Dec. 20th at 5:30 p.m. **Jim Young** said he would participate in the interviews.
- The Town Hall meeting on December 19th has been cancelled.
- The old church on North Main was finally demolished.
- He had lunch with **Fred Bruning** of CenterCal who offered insight on Station Park.
- The annual City employee Christmas Party will be held on December 20th at 1:00 p.m.
- Each Council Member was asked to sign up for two Town Hall Meetings during 2013.

City Council

John Bilton

- He received a request from **Captain Joseph Simmons** of the National Guard to hold a ceremony and place a plaque in the City Building to raise awareness for their community programs.
- He spoke with **Jim Hansen** who is excited about the future of Farmington City.
- He received an email from **Anita Todd** who expressed disappointment that she missed the opportunity to apply for the Council Member vacancy.

Jim Young

- He asked for an update on **Cal Ferrin's** water line, and **Dave Millheim** said he would follow up on the issue.

Jim Talbot

- He referenced a memo from **Chief Hansen** regarding the ongoing violations of resident Brent Pack. **Dave Millheim** said the cars were finally moved off the street but not off the lot. Staff has proposed an ordinance change which will allow noticing without personal service. Residents in the area continue to be very frustrated and upset. Towing of cars will be likely before the ordinance is adopted.

Cindy Roybal

- She was surprised and humbled that she was chosen to serve on the City Council and expressed appreciation for the support of the **Mayor** and the Council.

ADJOURNMENT

Motion:

At 10:25 p.m. **Cindy Roybal** made a motion to adjourn the meeting which was approved by Council Members **Bilton, Ritz, Roybal, Talbot and Young**.

Holly Gadd, City Recorder
Farmington City Corporation